

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (original) A preventive or ameliorating agent for liver diseases associated with hepatopathy comprising an omega-9 unsaturated fatty acid or a compound having an omega-9 unsaturated fatty acid as a constituent fatty acid.

2. (original) The preventive or ameliorating agent for liver diseases associated with hepatopathy according to claim 1 wherein said compound having an omega-9 unsaturated fatty acid as a constituent fatty acid is an alcohol ester of an omega-9 unsaturated fatty acid, a monoglyceride, a diglyceride and/or a triglyceride, or a phospholipid having an omega-9 unsaturated fatty acid as a constituent fatty acid.

3. (original) The preventive or ameliorating agent for liver diseases associated with hepatopathy according to claim 2 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid contains 20% or more of the omega-9 unsaturated fatty acid relative to the total fatty acids constituting said triglyceride.

4. (currently amended) The preventive or ameliorating agent for liver diseases associated with hepatopathy according to ~~any one of claims 1 to 3~~ claim 1 wherein said omega-9 unsaturated fatty acid is at least one selected from the group

consisting of 6,9-octadecadienoic acid (18:2 ω9), 8,11-eicosadienoic acid (20:2 ω9) and 5,8,11-eicosatrienoic acid (20:3 ω9).

5. (currently amended) The preventive or ameliorating agent for liver diseases associated with hepatopathy according to ~~any one of claims 1 to 4~~ claim 1 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid is obtained by culturing a microorganism having a reduced or absent Δ12 unsaturating enzyme activity in a medium, said microorganism being obtained by the mutation treatment of a microorganism belonging to genus Mortierella, genus Conidiobolus, genus Phythium, genus Phytophthora, genus Penicillium, genus Cladosporium, genus Mucor, genus Fusarium, genus Aspergillus, genus Rhodotorula, genus Entomophthora, genus Echinosporangium, or genus Saprolegnia and being capable of producing arachidonic acid, and then extracting from said culture.

6. (currently amended) The preventive or ameliorating agent according to ~~any one of claims 1 to 5~~ claim 1 wherein said liver diseases associated with hepatopathy are acute or chronic hepatitis.

7. (currently amended) The preventive or ameliorating agent according to ~~any one of claims 1 to 5~~ claim 1 wherein said liver diseases associated with hepatopathy are acute hepatic insufficiency, liver cirrhosis and/or hepatoma.

8. (original) A composition or a food or drink having an effect of preventing or ameliorating liver diseases associated with hepatopathy comprising an omega-9 unsaturated fatty acid or a compound having an omega-9 unsaturated fatty acid as a constituent fatty acid.

9. (original) The composition or the food or drink having an effect of preventing or ameliorating liver diseases associated with hepatopathy according to claim 8 wherein said compound having an omega-9 unsaturated fatty acid as a constituent fatty acid is an alcohol ester of an omega-9 unsaturated fatty acid, a monoglyceride, a diglyceride and/or a triglyceride, or a phospholipid having an omega-9 unsaturated fatty acid as a constituent fatty acid.

10. (original) The composition or the food or drink having an effect of preventing or ameliorating liver diseases associated with hepatopathy according to claim 9 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid contains 20% or more of the omega-9 unsaturated fatty acid relative to the total fatty acids constituting said triglyceride.

11. (currently amended) The composition or the food or drink having an effect of preventing or ameliorating liver diseases associated with hepatopathy according to ~~any one of claims 8 to 10~~ claim 8 wherein said omega-9 unsaturated fatty acid is at

least one selected from the group consisting of 6,9-octadecadienoic acid (18:2  $\omega$ 9), 8,11-eicosadienoic acid (20:2  $\omega$ 9) and 5,8,11-eicosatrienoic acid (20:3  $\omega$ 9).

12. (currently amended) The composition or the food or drink having an effect of preventing or ameliorating liver diseases associated with hepatopathy according to ~~any one of claims 8 to 11~~ claim 8 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid is obtained by culturing a microorganism having a reduced or absent  $\Delta$ 12 unsaturating enzyme activity in a medium, said microorganism being obtained by the mutation treatment of a microorganism belonging to genus Mortierella, genus Conidiobolus, genus Phythium, genus Phytophthora, genus Penicillium, genus Cladosporium, genus Mucor, genus Fusarium, genus Aspergillus, genus Rhodotorula, genus Entomophthora, genus Echinosporangium, or genus Saprolegnia and being capable of producing arachidonic acid, and then extracting it from said culture.

13. (currently amended) The composition or the food or drink having a preventing or ameliorating effect according to ~~any one of claims 8 to 12~~ claim 8 wherein said liver diseases associated with hepatopathy are acute or chronic hepatitis.

14. (currently amended) The composition or the food or drink having a preventing or ameliorating effect according to ~~any one of claims 8 to 12~~ claim 8 wherein

said liver diseases associated with hepatopathy are acute hepatic insufficiency, liver cirrhosis and/or hepatoma.

15. (currently amended) The composition or the food or drink having an effect of preventing or ameliorating liver diseases associated with hepatopathy according to ~~any one of claims 8 to 14~~ claim 8 wherein said a food or drink are functional foods, nutrient supplements, specified health foods or foods for old people.

16. (original) A method of preparing ingest having an effect of preventing or ameliorating liver diseases associated with hepatopathy wherein an omega-9 unsaturated fatty acid or a compound having an omega-9 unsaturated fatty acid as a constituent fatty acid is blended with a raw material for a food or drink containing substantially no or very little omega-9 unsaturated fatty acid.

17. (original) A method of preventing or ameliorating liver diseases associated with hepatopathy wherein an omega-9 unsaturated fatty acid or a compound having an omega-9 unsaturated fatty acid as a constituent fatty acid is administered to a subject.

18. (original) The method according to claim 17 wherein said compound having an omega-9 unsaturated fatty acid as a constituent fatty acid is an alcohol ester of an omega-9 unsaturated fatty acid, a monoglyceride, a diglyceride and/or a triglyceride, or a phospholipid having an omega-9 unsaturated fatty acid as a constituent fatty acid.

19. (original) The method according to claim 18 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid contains 20% or more of the omega-9 unsaturated fatty acid relative to the total fatty acids constituting said triglyceride.

20. (currently amended) The method according to ~~any one of claims 17 to 19~~ claim 17 wherein said omega-9 unsaturated fatty acid is at least one selected from the group consisting of 6,9-octadecadienoic acid (18:2  $\omega$ 9), 8,11-eicosadienoic acid (20:2  $\omega$ 9) and 5,8,11-eicosatrienoic acid (20:3  $\omega$ 9).

21. (currently amended) The method according to ~~any one of claims 17 to 20~~ claim 17 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid is obtained by culturing a microorganism having a reduced or absent  $\Delta$ 12 unsaturating enzyme activity in a medium, said microorganism being obtained by the mutation treatment of a microorganism belonging to genus Mortierella, genus Conidiobolus, genus Phythium, genus Phytophthora, genus Penicillium, genus Cladosporium, genus Mucor, genus Fusarium, genus Aspergillus, genus Rhodotorula, genus Entomophthora, genus Echinosporangium, or genus Saprolegnia and being capable of producing arachidonic acid, and then extracting from said culture.

22. (currently amended) The method according to ~~any one of claims 17 to 21~~  
claim 17 wherein said liver diseases associated with hepatopathy are acute or chronic  
hepatitis.

23. (currently amended) The method according to ~~any one of claims 17 to 21~~  
claim 17 wherein said liver diseases associated with hepatopathy are acute hepatic  
insufficiency, liver cirrhosis and/or hepatoma.

24. (original) A method of preventing or ameliorating liver diseases associated  
with hepatopathy which comprises providing a composition or a food or drink containing  
an omega-9 unsaturated fatty acid or a compound having an omega-9 unsaturated fatty  
acid as a constituent fatty acid.

25. (original) The method according to claim 24 wherein said compound having  
an omega-9 unsaturated fatty acid as a constituent fatty acid is an alcohol ester of an  
omega-9 unsaturated fatty acid, a monoglyceride, a diglyceride and/or a triglyceride, or  
a phospholipid having an omega-9 unsaturated fatty acid as a constituent fatty acid.

26. (original) The method according to claim 25 wherein said triglyceride having  
an omega-9 unsaturated fatty acid as a constituent fatty acid contains 20% or more of  
the omega-9 unsaturated fatty acid relative to the total fatty acids constituting said  
triglyceride.

27. (currently amended) The method according to ~~any one of claims 24 to 26~~  
claim 24 wherein said omega-9 unsaturated fatty acid is at least one selected from the  
group consisting of 6,9-octadecadienoic acid (18:2  $\omega$ 9), 8,11-eicosadienoic acid (20:2  
 $\omega$ 9) and 5,8,11-eicosatrienoic acid (20:3  $\omega$ 9).

28. (currently amended) The method according to ~~any one of claims 24 to 27~~  
claim 24 wherein said triglyceride having an omega-9 unsaturated fatty acid as a  
constituent fatty acid is obtained by culturing a microorganism having a reduced or  
absent  $\Delta$ 12 unsaturating enzyme activity in a medium, said microorganism being  
obtained by the mutation treatment of a microorganism belonging to genus Mortierella,  
genus Conidiobolus, genus Phythium, genus Phytrophthora, genus Penicillium, genus  
Cladosporium, genus Mucor, genus Fusarium, genus Aspergillus, genus Rhodotorula,  
genus Entomophthora, genus Echinosporangium, or genus Saprolegnia and being  
capable of producing arachidonic acid, and then extracting it from said culture.

29. (currently amended) The method according to ~~any one of claims 24 to 28~~  
claim 1 wherein said liver diseases associated with hepatopathy are acute or chronic  
hepatitis.

30. (currently amended) The method according to ~~any one of claims 24 to 28~~  
claim 24 wherein said liver diseases associated with hepatopathy are acute hepatic  
insufficiency, liver cirrhosis and/or hepatoma.

31. (currently amended) The method according to ~~any one of claims 24 to 30~~  
claim 24 wherein said a food or drink are functional foods, nutrient supplements,  
specified health foods or foods for old people.

32. (original) A use of an omega-9 unsaturated fatty acid or a compound having  
an omega-9 unsaturated fatty acid as a constituent fatty acid for the preparation of a  
preventive or ameliorating agent for liver diseases associated with hepatopathy.

33. (original) The use according to claim 32 wherein said compound having an  
omega-9 unsaturated fatty acid as a constituent fatty acid is an alcohol ester of an  
omega-9 unsaturated fatty acid, a monoglyceride, a diglyceride and/or a triglyceride, or  
a phospholipid having an omega-9 unsaturated fatty acid as a constituent fatty acid.

34. (original) The use according to claim 33 wherein said triglyceride having an  
omega-9 unsaturated fatty acid as a constituent fatty acid contains 20% or more of the  
omega-9 unsaturated fatty acid relative to the total fatty acids constituting said  
triglyceride.

35. (currently amended) The use according to ~~any one of claims 32 to 34~~ claim 32 wherein said omega-9 unsaturated fatty acid is at least one selected from the group consisting of 6,9-octadecadienoic acid (18:2  $\omega$ 9), 8,11-eicosadienoic acid (20:2  $\omega$ 9) and 5,8,11-eicosatrienoic acid (20:3  $\omega$ 9).

36. (currently amended) The use according to ~~any one of claims 32 to 35~~ claim 32 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid is obtained by culturing a microorganism having a reduced or absent  $\Delta 12$  unsaturating enzyme activity in a medium, said microorganism being obtained by the mutation treatment of a microorganism belonging to genus Mortierella, genus Conidiobolus, genus Phythium, genus Phytrophthora, genus Penicillium, genus Cladosporium, genus Mucor, genus Fusarium, genus Aspergillus, genus Rhodotorula, genus Entomophthora, genus Echinosporangium, or genus Saprolegnia and being capable of producing arachidonic acid, and then extracting it from said culture.

37. (currently amended) The use according to ~~any one of claims 32 to 36~~ claim 32 wherein said liver diseases associated with hepatopathy are acute or chronic hepatitis.

38. (currently amended) The use according to ~~any one of claims 32 to 36~~ claim 32 wherein said liver diseases associated with hepatopathy are acute hepatic insufficiency, liver cirrhosis and/or hepatoma.

39. (original) The use of an omega-9 unsaturated fatty acid or a compound having an omega-9 unsaturated fatty acid as a constituent fatty acid for the preparation of a composition or a food or drink having an effect of preventing or ameliorating liver diseases associated with hepatopathy.

40. (original) The use according to claim 39 wherein said compound having an omega-9 unsaturated fatty acid as a constituent fatty acid is an alcohol ester of an omega-9 unsaturated fatty acid, a monoglyceride, a diglyceride and/or a triglyceride, or a phospholipid having an omega-9 unsaturated fatty acid as a constituent fatty acid.

41. (original) The use according to claim 40 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid contains 20% or more of the omega-9 unsaturated fatty acid relative to the total fatty acids constituting said triglyceride.

42. (currently amended) The use according to ~~any one of claims 39 to 41~~ claim 39 wherein said omega-9 unsaturated fatty acid is at least one selected from the group consisting of 6,9-octadecadienoic acid (18:2  $\omega$ 9), 8,11-eicosadienoic acid (20:2  $\omega$ 9) and 5,8,11-eicosatrienoic acid (20:3  $\omega$ 9).

43. (currently amended) The use according to ~~any one of claims 39 to 42~~ claim 39 wherein said triglyceride having an omega-9 unsaturated fatty acid as a constituent fatty acid is obtained by culturing a microorganism having a reduced or absent  $\Delta 12$  unsaturating enzyme activity in a medium, said microorganism being obtained by the mutation treatment of a microorganism belonging to genus Mortierella, genus Conidiobolus, genus Phythium, genus Phytophthora, genus Penicillium, genus Cladosporium, genus Mucor, genus Fusarium, genus Aspergillus, genus Rhodotorula, genus Entomophthora, genus Echinosporangium, or genus Saprolegnia and being capable of producing arachidonic acid, and then extracting it from said culture.

44. (currently amended) The use according to ~~any one of claims 39 to 43~~ claim 39 wherein said liver diseases associated with hepatopathy are acute or chronic hepatitis.

45. (currently amended) The use according to ~~any one of claims 39 to 43~~ claim 39 wherein said liver diseases associated with hepatopathy are acute hepatic insufficiency, liver cirrhosis and/or hepatoma.

46. (currently amended) The use according to ~~any one of claims 39 to 45~~ claim 39 wherein said a food or drink are functional foods, nutrient supplements, specified health foods or foods for old people.